

BOARD APPEALS DOCKET
VIRGINIA ABC CENTRAL OFFICE
7450 Freight Way
Mechanicsville, VA 23116

March 30, 2022

Licensee / Applicant	Attorney	Appellant	Charges/Objections Heard by Board	Trans. No. of Pages	Charges/Objections Heard by Hearing Officer	Contacts / Objectors	Date & Time
<p>8th STREET GRILL AND MARKET, INC. 8th STREET GRILL AND MARKET 502 8TH STREET NW ROANOKE, VIRGINIA 24016-1709</p> <p>License No. 086465 – Wine and Beer Off Premises</p> <p>Record No. 013128375</p> <p>Incident No. 22-00078</p>	<p>Correy A. Diviney, Esq. 23 Franklin Road, SW Roanoke, VA 24011</p>	<p>Licensee</p>	<p>1. A cause exists for which the Board would be entitled to refuse to issue a license, in that the place occupied by the licensee is so located that violations of the ABC Act or the laws of the Commonwealth relating to peace and good order have resulted from issuance of the license and operation thereunder, in violation of Sections 4.1-222 A.2.b., 4.1-225 5. and 4.1-203 D. of the Code of Virginia.</p> <p>2. The licensee has failed to take reasonable measures to prevent the licensed premises, an adjacent premises owned or leased by the licensee, or public property adjacent to the licensed premises, from becoming a place where patrons of the establishment commit criminal violations enumerated in 4.1-225 1.p. and such violations lead to arrests that are so frequent and serious as to be reasonably deemed a continuing threat to public safety, in violation of Section 4.1-225 1.p. of the Code of Virginia.</p> <p>3. Between 1/1/2020 and 1/23/2022, the licensee allowed the licensed premises to become a meeting place or rendezvous for members of street gangs as defined in § 18.2-46.1, in violation of Section 4.1-225 1.g. of the Code of Virginia.</p> <p>4. On 1/23/2022 at approximately 7:00 pm, the</p>	<p>160</p>	<p>1. A cause exists for which the Board would be entitled to refuse to issue a license, in that the place occupied by the licensee is so located that violations of the ABC Act or the laws of the Commonwealth relating to peace and good order have resulted from issuance of the license and operation thereunder, in violation of Sections 4.1-222 A.2.b., 4.1-225 5. and 4.1-203 D. of the Code of Virginia.</p> <p>2. The licensee has failed to take reasonable measures to prevent the licensed premises, an adjacent premises owned or leased by the licensee, or public property adjacent to the licensed premises, from becoming a place where patrons of the establishment commit criminal violations enumerated in 4.1-225 1.p. and such violations lead to arrests that are so frequent and serious as to be reasonably deemed a continuing threat to public safety, in violation of Section 4.1-225 1.p. of the Code of Virginia.</p> <p>3. Between 1/1/2020 and 1/23/2022, the</p>		<p>03-30-22 10:00 am</p>

			<p>licensee allowed the consumption of alcoholic beverages upon the licensed premises except as provided under the ABC Act, in violation of Sections (Insert 4.1-208 for beer, 4.1-207 for wine, 4.1-209 for wine & beer, 4.1-210 for mixed beverages) and 4.1-225 1.k. of the Code of Virginia.</p> <p>6. On 1/23/22 at approximately 7:00 pm, the licensee or an employee of the licensee consumed alcoholic beverages while on duty and in a position involved in the selling and serving of alcoholic beverages to customers, in violation of Section 4.1-325.2 A. of the Code of Virginia.</p>		<p>licensee allowed the licensed premises to become a meeting place or rendezvous for members of street gangs as defined in § 18.2-46.1, in violation of Section 4.1-225 1.g. of the Code of Virginia.</p> <p>4. On 1/23/2022 at approximately 7:00 pm, the licensee allowed the consumption of alcoholic beverages upon the licensed premises except as provided under the ABC Act, in violation of Sections (Insert 4.1-208 for beer, 4.1-207 for wine, 4.1-209 for wine & beer, 4.1-210 for mixed beverages) and 4.1-225 1.k. of the Code of Virginia.</p> <p>5. DISMISSED - On 1/23/2022 at approximately 7:13 pm, the licensee illegally possessed, distributed, sold or used, or knowingly allowed any employee, agent or other person(s) to illegally possess, distribute, sell or use marijuana or other controlled substances, imitation controlled substances, drug paraphernalia, controlled paraphernalia or synthetic cannabinoids as defined in 18.2-247 et seq. upon the licensed premises, in violation of Section 4.1-225 1.o. of the Code of Virginia.</p> <p>6. On 1/23/22 at approximately 7:00 pm, the licensee or an employee of the licensee consumed alcoholic beverages while on duty and in a position involved in the</p>	
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